

HC stay on hacking 3,000 trees in Thane

FOR ROAD WIDENING

Environment, forest departments and civic bodies asked to file reply within four weeks

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MUMBAI: The Bombay high court (HC) on Friday stayed the hacking of more than 3,000 trees at Wada in Thane district, for a road widening project of the Mumbai Metropolitan Region Development Authority (MMRDA).

The project involved hacking 3,027 trees that form a canopy along the 20-km Shirsad-Ambadi road in the Bhiwandi-Vasai taluka to make way for a four-lane road from the two-lane one, which connects the national highways of Nashik, Pune and Gujarat.

A division bench of justice AS Oka and justice AA Sayad asked various authorities to file their replies within four weeks. "Apart from the MMRDA, the Vasai-Virar and Bhiwandi municipal corporations had not filed their respective affidavits based on the previous hearings. The three authorities, along with the state environment and forest departments, and the union environment ministry will have to file their replies in four weeks," said advocate Gayatri Singh for petitioner for NGO Vanashakti.

Hindustan Times had, on March 28, 2013, reported that data accessed under the Right to Information (RTI) Act revealed that 150 trees would be uprooted on every 1-km stretch on the route. Following the report, Vanashakti had filed a public interest litigation in the HC seeking restraint on hacking of trees along the road, on grounds that it violates environment and forest rules.

Environmentalists have demanded a realignment of the road to prevent trees from facing the axe. While the area is located

ROAD IN PLACE OF TREES



This boulevard will disappear if road widening is done. HT PHOTO

THE PROJECT

The road widening project of the MMRDA involved hacking 3,027 trees that form a canopy along the 20-km Shirsad-Ambadi road in the Bhiwandi-Vasai taluka, to make way for a four-lane road instead of the two-lane one, which connects national highways of Nashik, Pune and Gujarat

The area is located in the Tansa river basin, which is also a tributary of the Vaitarna river.

Wildlife sanctuaries such as Tungareshwar (85sqkm) and Tansa (320sqkm) are on either sides of the road

THE PROBLEMS

Hindustan Times had, on March 28, 2013, reported that data accessed under the RTI Act revealed that 150 trees would be uprooted on every 1-km stretch on the route

Following the report, Vanashakti filed a PIL in the HC seeking restraint on the tree hacking as it violates environment, forest rules

The petition said MMRDA has not undertaken an environment impact assessment, even as a 2km stretch passes through vicinity of wildlife sanctuaries under the proposed buffer zone submitted by the state to the union environment ministry.

Why you should care

Tree felling or deforestation leads to evaporation of surface water in water bodies, and soil erosion that affects water quality

Trees are vital for protection of catchment areas, maintaining carbon balance and photosynthesis

in the Tansa river basin, which is also a tributary of the Vaitarna river; the Tungareshwar Wildlife Sanctuary (85sqkm) and Tansa Wildlife Sanctuary (320sqkm) are on either sides of the road.

"While MMRDA had said they would reconsider its decision, we wanted to get them on record and say it in writing," said Stalin D,

project director, Vanashakti. The petition stated the MMRDA has not undertaken an environment impact assessment for the project, even as its 2km stretch passes through the vicinity of the wildlife sanctuaries that fall under the proposed buffer zone, submitted by the state to the union environment ministry.

POLICE TO STEP UP SAFETY FOR N-E COMMUNITY

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MUMBAI: The city's north-east community has reason to cheer, with the police deciding to step up measures to ensure their safety, by collecting information about its members, increasing vigilance in areas where they stay and have meetings to address their issues.

The step follows a spate of attacks on the community in the Capital. Representatives of the Committee on Northeast Concerns, formed last month by the Ministry of Home Affairs after the Nido Tania case, met police commissioner Rakesh Maria on Thursday. "He [the commissioner] assured us that he would audit areas to check if they are safe," said Alana Golmei, founder, Northeast Support Centre and Helpline in Delhi.

"We also asked if close-circuit surveillance cameras could be put up in these areas and he said he would look into it," she added.

Spokesperson for the Mumbai police, deputy commissioner Mahesh Patil, said, "Ten days ago, the police commissioner instructed all police stations to collect information about the community members living in their areas. This process has already begun."

The community is also sharing numbers of representatives who could address their issues and safety concerns. "The Northeast Helpline - Mumbai is a collection of contacts of members from Mizoram, Manipur, Nagaland, Assam and Arunachal Pradesh," said Abraham Mathai of the Harmony Foundation, who facilitated setting up the helpline.

Community members said this was a positive step by the police. "While Mumbai is safer compared with Delhi, it is good that the police is looking into our safety," said Vanlal Ruat Kima, member of Mumbai Mizo Association.

Submit witness protection plan by April 11: HC

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MUMBAI: Witnesses in criminal cases who anticipate threat to their lives can receive police protection from the state if the latter fails to come up with comprehensive witness protection policy before April 11, the Bombay high court said on Friday.

The court was hearing a suo motu public interest litigation for protection of whistleblowers after the killing of RTI activist Satish Shetty, whose scope was later enlarged to include witnesses.

In an August order last year, the court had directed the state to set up a three-person committee to devise ways to protect

STATE RAPPED FOR DELAY

In an order passed in August last year, the court directed the state to set up a three-person committee to come up with ways to protect witnesses

The committee should have been appointed in four weeks, and the report submitted in

eight weeks

- The court said it has not even been informed about the constitution of such a committee
- The lack of police protection could be a reason for witnesses not supporting the prosecution, the court said.

witnesses. "Till today, the state hasn't even informed the court about the constitution of such a committee," said the court's order. "Thus, as of today, there is no policy."

Assistant government pleader Nitin Deshpande submitted that for the implementation of the witness protection

programme, an allocation of Rs10 crore would be required, and queries had been raised by the finance department.

"We are constrained to observe that the state has taken a long time to come out with a policy...", the court said. "This delay has serious repercussions as, in a large number of criminal

cases, the prosecution witnesses have not supported the prosecution for various reasons... the lack of police protection may be one of them."

If the state doesn't come up with a policy, alternative witness protection arrangements as directed by the court would come into effect. The court has said witnesses can apply for protection if they deem a threat to their life and the application would be scrutinised by a committee, in line with a February 2013 government order issued for whistleblower protection. In view of threat perception, the investigating officer can also recommend protection for witnesses.

The matter will be heard next on April 17.

HC orders probe into MET charging students excess fee

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MUMBAI: The Bombay high court, on Friday, asked the Shikshan Shulka Samiti (fee fixation committee) to follow up on a complaint filed by a Pune freedom fighter that alleges the Mumbai Education Trust (MET) of making crores of rupees by charging its students extra fees.

A division bench of chief justice Mohit Shah and justice MS Sanklecha also pulled up the committee for initially rejecting the complaint.

The complainant, 80-year-old Balasaheb Jambulkar, alleged that MET, which is headed by state public works department minister Chhagan Bhujbal, had recovered crores of rupees by charging students of its various institutes excess fees.

In March 2012, Jambulkar had lodged a complaint with the committee, which rejected it saying only affected parties - students or their parents - can lodge the complaint. Jambulkar then approached the high court.

"We find the Samiti has neglected its responsibility of looking into a complaint filed by a member of the general public," the judges said. Showing as expenditure, amounts kept aside for provision or reserve, warranted making at least a preliminary inquiry, the judges said, adding the complaint is not wholly without substance.

The court noted the committee had failed to observe that students may not be in a position to challenge the fees charged by the institution and still continue studying there. "The pressure on such a student would be subtle, but effective to ruin his career," they said. "Not that every institution may adopt a revengeful attitude, but no student can take a risk."

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